REMARKS

Claims 1, 2, 4-6, 15, 16, 18, 19, 21-25, 27, 29-34, 36, 37, 39-42 are pending in the present application. Claims 1, 5, 6, 15, 16, 18, 19, 21, 22, 25, 32, 33, and 37 are amended. Claims 41 and 42 are added. Claims 3, 7-14, 17, 20, 26, 28, 35, and 38 were previously cancelled. Claims 1, 5, 15, 16, 18, 19, 21, and 22 are the independent claims.

Claim Rejections - 35 U.S.C. § 102

Claims 1, 2, 4-6, 15, 16, 18, 19, 21-25, 27, 29-34, 36, and 37 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Publication 2002/0145702 to Kato et al. ("Kato"). The Applicant respectfully traverses these rejections.

A claim is anticipated only if each and every element as forth in the claim is found, either expressly or inherently described, in a single prior art reference. See MPEP Sec. 2131; *Verdegaal Bros. v. Union Oil Co. of California,* 814 F.2D 628, 631, 2 USPQ 2d 1051, 1053 (Fed. Cir.1987).

For example, independent claim 1 recites a recording medium including, among other things, "at least a portion of the first and second reproduction paths are configured in parallel so either the first or the second reproduction path is reproduced when a version is reproduced ...." Kato does not anticipate such a method.

In support of the Examiner's rejections, the Examiner has cited paragraphs [0180] and [0182] of Kato along with FIG. 6 of Kato. The Applicant respectfully asserts that Kato does not teach or suggest the language quoted above with respect to claim 1. For example, paragraph [0180] of Kato describes two real playlists 1, 2 and clips 1, 2

associated with the respective real playlists. The user specifies a preset domain in the real playlist 1 as the playback domain, and also specifies as the domain to be reproduced next, a preset domain and the real playlist 2. Thus, the method described in Kato describes a first playlist and then a second playlist played sequentially. In contrast to the playlist 1 and the portion of the playlist 2 of Kato which are linked sequentially, independent claim 1 recites a method where "at least a portion of the first and second reproduction paths are configured in parallel so either the first or the second reproduction path is reproduced when a version is reproduced." Nowhere in Kato are parallel first and second reproduction paths described. Indeed, Kato describes quite the opposite. The reproduction paths of Kato are linked sequentially as evidenced by the description in paragraph [0180] of the playback domain **to be reproduced next**, a present domain in the real playlist 2. FIG. 6 of Kato also shows the real playlists/clips arranged sequentially, not in parallel.

Further, the Applicant comments that on page 2 of the Office Action the Examiner recites that in "Kato et al. [the] clip is a sequence of video and a user has an option either to play one clip or another different clip for the same title." However, the Examiner provides no citation of Kato to support this statement. However, even if it is true that Kato provides a sequence of video and a user has an option to either play one clip or a different clip for the same title, Kato still does not teach or suggest the above quoted portion of independent claim 1. For at least these reasons, the Applicant respectfully asserts that Kato does not anticipate independent claim 1 and its dependent claims.

The Applicant respectfully notes that the other independent claims, claims 5, 15, 16, 18, 19, 21, and 22 all recite language similar to that quoted and discussed

above with respect to independent claim 1. Therefore, the other independent claims 5, 15, 16, 18, 19, 21, and 22 are not anticipated by Kato at least for the reasons set forth above with respect to independent claim 1. Therefore, the Applicant respectfully requests that the rejections under 35 U.S.C. 102 of independent claims 1, 5, 15, 16, 18, 19, 21, and 22 and their respective dependent claims be removed.

Claim Rejections - 35 U.S.C. § 103

Claims 39-40 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Kato as applied to claim 1 above, and further in view of U.S. Patent 6,973,461 to Fleming, III et al. ("Fleming"). The Applicant notes that page 7 of the Office Action lists claims 30-40 as rejected under 35 U.S.C. § 103(a). However, this appears to be a typographical error. It appears that the Examiner intended to state that claims 39-40 are rejected, not claims 30-40. The Applicant responds as it if were claims 39-40 that are rejected. The Applicant respectfully traverses these rejections.

Claims 39-40 are dependent upon claim 1 and are therefore patentable at least by reason of their dependency. Therefore the Applicant respectfully requests that the rejections under 35 U.S.C. § 103(a) of claims 39-40 be removed.

New Claims

New claims 41 and 42 are believed to be in condition for allowance.

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CONCLUSION

Accordingly, in view of the above amendments and remarks, reconsideration of the objections and rejections and allowance of each pending claim in connection with the present application is earnestly solicited.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS, DICKEY, & PIERCE, P.L.C.

By: _____

Terry L. Clark, Reg. No. 32,644
P.O. Box 8910
Reston, Virginia 20195
(703) 668-8000

TLC/PXL:eaf